

REMARKS

Status of the claims

Claims 1-13 are pending. Claims 1-8 have been amended and Claims 9-13 have been added. Claim 1 is independent.

Requested action

Applicants respectfully request that the Examiner reconsider and withdraw the outstanding objection and rejection in view of the foregoing amendments and the following remarks.

Objection

The drawings are objected to because the drawings do not show any labels. In response, while not conceding the propriety of the objection, Applicants are submitting formal replacement sheets of Figures 1-5 that contain labels to label each illustrated element. Therefore, Applicants respectfully request that the objection be withdrawn.

Rejection

Claims 1-8 are rejected under 35 U.S.C. §103(a) as being unpatentable over Mou (U.S. Patent No. 6,216,952) in view of Aikawa (U.S. Patent No. 5,844,730).

In response, while not conceding the propriety of the rejection, independent Claim 1 has been amended. Applicants submit that as amended, Claim 1 is allowable for the following reasons.

Independent Claim 1 relates to an image reading apparatus for reading an image of a document, comprising an image reading unit configured to read the image of the document, an illuminating unit configured to illuminate the document, a plurality of mirrors, and a housing.

Claim 1 has been amended to recite that the plurality of mirrors are configured to reflect light from the document. Claim 1 has also been amended to recite that the housing is configured to support the plurality of mirrors. Claim 1 has been further amended to recite that at least one of the plurality of mirrors comprises a curved reflecting surface, and two contact portions, disposed on a side of the mirror on which the curved reflecting surface is provided, configured and positioned to determine the position of the curved reflecting surface in a direction normal to the surface thereof when contacted with the housing.

By this arrangement, it becomes possible to determine the position of the curved reflecting surface with high accuracy.

In contrast, the citations to Mou and Aikawa are not understood to disclose or suggest two contact portions, disposed on a side of a mirror on which a curved reflecting surface is provided, that are configured and positioned to determine the position of the curved reflecting surface in a direction normal to the surface thereof when contacted with a housing configured to support a plurality of mirrors, as recited by amended Claim 1. Rather, the publication to Mou is understood to merely show flat off-axis mirrors 223-226, while the publication to Aikawa is understood to merely show a Fresnel surface 72 whose center is curved and surrounded by jagged portions.

Since MPEP § 2142 requires the cited art to disclose or suggest all the claimed features to establish a prima facie case of obviousness, and since amended Claim 1 recites at least one feature not understood to be disclosed or suggested by the cited art, Applicants submit that the Office has not yet satisfied its burden of proof to establish a prima facie case of obviousness against amended Claim 1. For this reason, Applicants respectfully request that the rejection of amended Claim 1 be withdrawn.

The dependent claims are allowable for the reasons given for the independent claims and because they recite features that are patentable in their own right. Individual consideration of the dependent claims are respectfully solicited.

Conclusion

In view of the above amendments and remarks, the claims are now in allowable form. Therefore, early passage to issue is respectfully solicited.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

/Gary M. Jacobs/

Gary M. Jacobs
Attorney for Applicants
Registration No. 28,861

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile No.: (212) 218-2200

GMM/llp

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